

United States Bankruptcy Court
Middle District of North Carolina

CHAPTER 13
VOLUNTARY PETITION

IN RE (Name of debtor - If individual, enter Last, First, Middle) Reed, Eric Ramon		NAME OF JOINT DEBTOR (Spouse) (Last, First, Middle) Reed, Vivian Lewis	
ALL OTHER NAMES used by the debtor in the last 6 years (Include married, maiden, and trade names) none		ALL OTHER NAMES used by the joint debtor in the last 6 years (Include married, maiden, and trade names) Vivian Lewis	
SOC. SEC./TAX I.D. NO. (If more than one, state all) 245-94-0300		SOC. SEC./TAX I.D. NO. (If more than one, state all) 238-31-4177	
STREET ADDRESS OF DEBTOR (No. and street, city, state, and zip code) 4089 Cornerstone Drive Oxford, NC 27565		STREET ADDRESS OF JOINT DEBTOR (No. and street, city, state, and zip code) 4089 Cornerstone Drive Oxford, NC 27565	
TELEPHONE NO. 919-690-1810	COUNTY OF RESIDENCE OR PRINCIPAL PLACE OF BUSINESS Granville	TELEPHONE NO. 919-690-1810	COUNTY OF RESIDENCE OR PRINCIPAL PLACE OF BUSINESS Granville
MAILING ADDRESS OF DEBTOR (If different from street address) same as above		MAILING ADDRESS OF JOINT DEBTOR (If different from street address) same as above	
LOCATION OF PRINCIPAL ASSETS OF BUSINESS DEBTOR (If different from address listed above)		VENUE (Check one box) <input type="checkbox"/> Debtor has been domiciled or has had a residence, principal place of business, or principal assets in this District for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other District. <input type="checkbox"/> There is a bankruptcy case concerning debtor's affiliate, general partner, or partnership pending in this District.	
BUSINESS TELEPHONE NO.			

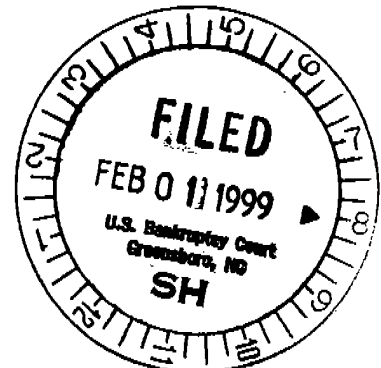
INFORMATION REGARDING DEBTOR (Check applicable boxes)

<p>TYPE OF DEBTOR</p> <p><input type="checkbox"/> Individual</p> <p><input checked="" type="checkbox"/> Joint (Husband and Wife)</p> <p>NATURE OF DEBT</p> <p><input checked="" type="checkbox"/> Non-Business/Consumer <input type="checkbox"/> Business - Complete A & B below</p> <p>A. TYPE OF BUSINESS (Check one)</p> <table border="0"> <tr> <td><input type="checkbox"/> Farming</td> <td><input type="checkbox"/> Transportation</td> <td><input type="checkbox"/> Commodity Broker</td> </tr> <tr> <td><input type="checkbox"/> Professional</td> <td><input type="checkbox"/> Manufacturing/</td> <td><input type="checkbox"/> Construction</td> </tr> <tr> <td><input type="checkbox"/> Retail/Wholesale</td> <td>Mining</td> <td><input type="checkbox"/> Real Estate</td> </tr> <tr> <td><input type="checkbox"/> Railroad</td> <td><input type="checkbox"/> Stockbroker</td> <td><input type="checkbox"/> Other Business</td> </tr> </table> <p>B. NAME AND BRIEF DESCRIPTION OF NATURE OF BUSINESS</p>	<input type="checkbox"/> Farming	<input type="checkbox"/> Transportation	<input type="checkbox"/> Commodity Broker	<input type="checkbox"/> Professional	<input type="checkbox"/> Manufacturing/	<input type="checkbox"/> Construction	<input type="checkbox"/> Retail/Wholesale	Mining	<input type="checkbox"/> Real Estate	<input type="checkbox"/> Railroad	<input type="checkbox"/> Stockbroker	<input type="checkbox"/> Other Business	<p>FILING FEE (Check one box)</p> <p><input checked="" type="checkbox"/> Filing Fee attached</p> <p><input type="checkbox"/> Filing fee to be paid in installments. (Applicable to individuals only.) Must attach signed application for the court's consideration, certifying that the debtor is unable to pay fee except in installments. Rule 1006(b). See Official Form No. 3.</p> <p>NAME AND ADDRESS OF ATTORNEY</p> <p>Donald D. Pergerson PO Box 2289 Henderson, NC 27536</p> <p>Telephone No. 252-492-7796 N.C. State Bar No. 13069</p> <p><input type="checkbox"/> Debtor is not represented by an attorney</p>
<input type="checkbox"/> Farming	<input type="checkbox"/> Transportation	<input type="checkbox"/> Commodity Broker											
<input type="checkbox"/> Professional	<input type="checkbox"/> Manufacturing/	<input type="checkbox"/> Construction											
<input type="checkbox"/> Retail/Wholesale	Mining	<input type="checkbox"/> Real Estate											
<input type="checkbox"/> Railroad	<input type="checkbox"/> Stockbroker	<input type="checkbox"/> Other Business											

STATISTICAL/ADMINISTRATIVE INFORMATION (U.S.C. § 604)
(Estimates only) (Check applicable boxes)

<input checked="" type="checkbox"/> Debtor estimates that funds will be available for distribution to unsecured creditors. <input type="checkbox"/> Debtor estimates that, after any exempt property is excluded and administrative expenses paid, there will be no funds available for distribution to unsecured creditors.							
ESTIMATED NUMBER OF CREDITORS							
1-15	16-49	50-99	100-199	200-999	1000-over		
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
ESTIMATED ASSETS (In thousands of dollars)							
Under 50	50-99	100-499	500-999	1000-9999	10,000-99,000	100,000-over	
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
ESTIMATED LIABILITIES (In thousands of dollars)							
Under 50	50-99	100-499	500-999	1000-9999	10,000-99,000	100,000-over	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

THIS SPACE FOR COURT USE ONLY



FEES PAID IN FULL

THE PLAN

The Debtor's take-home pay is \$ 1,893.11 per month .

The Joint Debtor's take-home pay is \$ 1,337.86 per month .

Debtor

Employer: Lenox Inc.
Address: 1500 Williamsboro Rd.
Oxford, NC 27565
Length of Employment 10 years
Phone No. 919-693-9111
(Business)

Joint Debtor

Lenox Inc.
1500 Williamsboro Rd.
Oxford, NC 27565
10 years
919-693-9111

1/2 PAYROLL DEDUCTION

1/2 PAYROLL DEDUCTION

The Debtor's plan is to pay from future income and earnings, as much as reasonably possible, as determined by the Court, for a period not less than 36 months and not in excess of 60 months. The Debtor considers the reasonable amount to be 1,520.00 dollars per month and the reasonable plan length to be 60 months. However, the sum is subject to the determination of the Court from time to time. All funds will be disbursed to creditors, as may be approved by the Court, after first deducting costs of administration. Debtor has a principal place of employment, residence or domicile or owns property within this District.

Annexed hereto are schedules which set forth accurate descriptions and valuations of all the items of property, real and personal and a complete statement of all debts with the full names and addresses of all creditors.

REQUEST FOR RELIEF

The Debtor is an individual with regular income who owes, as of the date of the filing of this petition, noncontingent, liquidated, unsecured debts of less than \$100,000 and noncontingent liquidated secured debts of less than \$350,000 and hereby requests relief in accordance with Chapter 13 of Title 11, United States Code.

SIGNATURES

Date: January 27, 1999

Signed: Donald D. Pergerson
Attorney for the Debtor

~~XXX~~ (We) Eric Ramon Reed and Vivian Lewis Reed, declare under penalty of perjury that the information provided in this petition and schedules attached hereto is true and correct to the best of my knowledge, information and belief and that I am aware that I may proceed under Chapters 7 or 11 of Title 11, United States code, understand the relief available under such chapters and choose to proceed under Chapter 13.

Date: January 27, 1999

Signed: Eric Ramon Reed
Debtor

Signed: Vivian Lewis Reed
(Joint Debtor, if any)

AFFIDAVIT OF ATTORNEY

I, the undersigned attorney for the Debtor named in the foregoing petition, declare that I have informed the Debtor that the Debtor may proceed under Chapters 7, 11, or 13 of Title 11, United States Code, and have explained the relief available under each such chapter.

Date: January 27, 1999

Signed: Donald D. Pergerson
Attorney for the Debtor

NOTE: Petition with schedules are filed in duplicate (only the original needs to be signed with all copies conformed) with the U.S. Bankruptcy Court with the filing fee. A joint petition requires only one filing fee.

SCHEDULE A
REAL PROPERTY AND MOBILE HOMES

<u>Description</u>	<u>Name and Address Of Lienholder</u>	<u>Total Amount Of Debt</u>	<u>Monthly Payment</u>	<u>Present Market Value Without Deduction For Mortgage or Security Interest</u>
*1998 28x68 Palm Harbor mobile home and 2.25 acres located at 4089 Cornerstone Drive Oxford, NC 27565	Green Tree Acceptance Corp. 3101 Poplar Creek Court Ste 127 Raleigh, NC 27604	\$90,000.00	\$725.45	\$66,765.55

*principal residence

Total of A \$ 66,765.55

How many months are payments in default to each lienholder? 2

SCHEDULE B

PERSONAL PROPERTY

Type Of Property	Amount of Mortgage or Other Security Interest on This Property	Name of Creditor Abbreviate - Full Name & Address Must Be on List of Debts	Present Market Value Without Deduction For Mortgage or Security Interest
<u>Automobiles or Other Vehicles - Give Year and Make</u>	*\$1,150 high mileage deduction **\$350 added for low mileage		
1996 honda Accord-4cyl. sedan 4 door LX	\$15,000.00	Chase	\$12,175.50*
1994 Acura Integra - 4 cyl. sedan 4 door LS	\$13,395.00	GE Capital	\$9,540.00**
1992 Nissan Stanza-4cyl sedan 4 door XE -0-		n/a	\$4,770.00
<u>Household Goods</u> household goods	\$1,500.00	Avco Financial	\$300.00
<u>Furniture and appliances</u>	-0-	n/a	\$2,000.00
diningroom set	\$1,000.00	Heilig-Meyers	\$1,200.00
den furniture	\$1,300.00	Granville Furniture	\$1,500.00
bedroom suite	\$1,600.00	Rhodes Furniture	\$1,600.00
<u>Personal Effects</u>			
clothing and jewelry	-0-	n/a	\$500.00
<u>Other (Specify)</u>			
01k retirement (male)(\$4,000)	-0-	n/a	-0-
01k retirement(female)(\$4,000)	-0-	n/a	-0-
32" tv	\$2,430.71	Sears, Roebuck & Co.	\$799.20
<u>Tax Refunds</u> Indicate what tax refunds (income or other), if any, to which either you or your spouse are entitled (give particulars including information as to any refunds payable jointly with any other person). none			-0-
<u>Bank Accounts and Safe Deposit Boxes</u> If you or your spouse currently have any bank or savings and loan accounts, checking, or savings, give name and address of bank, nature of account, current balance, name and address of each person authorized to make withdrawals from the account (if none, so state). BB&T 421 N. Chesnut St. Henderson, NC 27536			savings(female) \$260.00 savings(male) \$180.00
Total of B			\$ 34,824.70

THE LIQUIDATED VALUE OF DEBTOR'S ESTATE AFTER DEDUCTING MORTGAGES AND OTHER VALID LIENS IS APPROXIMATELY \$ 8,100.00

SCHEDULE C

PROPERTY CLAIMED AS EXEMPT

(This schedule is not necessary to be completed at this time.)

SCHEDULE D

SECURED CREDITORS

(List all lienholders including real estate and mobile homes.)

<u>Full Name, Mailing Address, and Account Number of Each Creditor</u>	<u>Brief Description of Security for Each Debt</u>	<u>Monthly Payment</u>	<u>Total Amount Remaining Due Or Claimed</u>
Green Tree Acceptance Corp. 3101 Poplar Creek Court Ste 127 Raleigh, NC 27604 Acct. No. 974367294	1998 28x68 Palm Harbor mobile home and 0.25 acres located at 4089 Cornerstone Drive Oxford, NC 27565 (principal residence)	\$725.45	\$90,000.00 \$1,450.90 Arrears
Chase Automotive Finance PO Box 15486 Wilmington, DE 19886-5486 Acct. no. 011 077 74 7747 705001	1996 Honda Accord-4 cyl. sedan 4 door LX	\$394.23	\$15,000.00
GE Capital Customized Auto Credit Services General Electric Capital Corp. PO Box 508 Depew, NY 14043-0508	1994 Acura Integra-4 cyl. sedan 4 door IS	\$375.00	\$13,395.00
Heilig-Meyers Furniture PO Box 1413 Henderson, NC 27536	diningroom set	\$100.00	\$1,000.00
Total of D		\$	37,676.61

SCHEDULE D CONTINUED....

SCHEDULE E

PRIORITY CREDITORS

	<u>Amount Due or Claimed</u>
United States	\$
State of N.C.	\$
Granville County Tax Office PO Box 219 Oxford, NC 27565 Acct. No. 314894455, 314892917	\$
Local County Tax	\$
Local City Tax (1998)	\$ 169.54
Other	\$
Total of E	\$ 169.54

*Debtors propose to pay directly.

SCHEDULE D
SECURED CREDITORS
CONTINUED

Granville Furniture Co. 117 Main St. Oxford, NC 27565	den furniture	\$80.00	\$1,300.00
Rhodes Furniture c/o Beneficial National Bank USA PO Box 88000 Baltimore, MD 21288 Acct. No. 7011117001585987	bedroom suite	\$75.00	\$1,600.00
Avco Financial Services 112 Hillsboro St. Oxford, NC 27565	household goods	\$96.00	\$1,500.00
Sears, Roebuck & Co. PO Box 450087 Atlanta, GA 31145 Acct. No. 05 54097 63226 5	32" tv	\$50.00	\$2,430.71

SCHEDULE F
UNSECURED CREDITORS

<u>Full Name and Mailing Address of Each Creditor and Account Numbers</u>	<u>Total Amount Remaining Due or Claimed</u>
American Express PO Box 804247 Chicago, IL 60680-4101 Acct. No. 3727 610370 71005	\$1,000.00
Hechts PO Box 94872 Cleveland, OH 44101-4872 Acct. No. 51590549	\$674.83
Perry Brothers Tire Service Inc. PO Box 968 Sanford, NC 27331 Acct. No. 12-73584	\$582.49

Total of F \$ 2,257.32

NOTE: If additional space is needed, please identify schedule by letter (i.e., Schedule F continued). Case 99-80231 Doc 1 Filed 02/01/99 Page 8 of 13

SCHEDULE G
EXECUTORY CONTRACTS AND UNEXPIRED LEASES

Name and Address of
Parties to Lease or Contract

Description of Contract or
Lease and Nature of Debtor's
Interest, State Whether Lease Is
for Nonresidential Real Property

none

SCHEDULE H
CODEBTORS

Name and Address
of Codebtor

Name and Address
of Creditor

none

NOTE: A party listed under Schedules G or H will not receive notice unless the party is also scheduled in the appropriate schedule of creditors.

SCHEDULE I
CURRENT INCOME OF INDIVIDUAL DEBTOR(S)

The column labeled "Spouse" must be completed in all cases filed by joint debtors and by a married debtor in a Chapter 13 case whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.

Debtor's Marital Status	Dependents of Debtor and Spouse		
	Names	Age	Relationship
married	Charon M. Lewis	18	daughter

Income: (estimate of average monthly income)	DEBTOR	SPOUSE
Current monthly gross wages, salary, and commissions (pro rate if not paid monthly)	\$ 2,143.04	\$ 1,524.76
Estimate monthly overtime	\$ 184.35	\$ 145.82
SUBTOTAL	\$ 2,327.39	\$ 1,670.58
LESS PAYROLL DEDUCTIONS		
a. Payroll taxes and social security	\$ 582.60	\$ 279.48
b. Insurance	\$ 32.56	\$ 83.96
c. Union Dues	\$ -0-	\$ -0-
d. Other (specify) 401k retirement, 401k loans, united way	\$ 119.12	\$ 169.28
SUBTOTAL OF PAYROLL DEDUCTIONS	\$ 734.28	\$ 532.72
TOTAL NET MONTHLY TAKE HOME PAY	\$ 1,593.11	\$ 1,137.86
Regular income from operation of business or profession (attach detailed statement)	\$ -0-	\$ -0-
Income from real property	\$ -0-	\$ -0-
Interest and dividends	\$ -0-	\$ -0-
Alimony, maintenance or support payments payable to the debtor for the debtor's use or that of dependents listed above	\$ -0-	\$ -0-
Social Security or other government assistance (specify).	\$ -0-	\$ -0-
Pension or retirement income	\$ -0-	\$ -0-
Other monthly income (specify) part-time (construction)	\$ 300.00	\$ 200.00*
TOTAL MONTHLY INCOME	\$ 1,893.11	\$ 1,337.86
TOTAL COMBINED MONTHLY INCOME		\$ 3,230.97

*part-time job (BodyWorks gym)

SCHEDULE J
CURRENT EXPENDITURES OF INDIVIDUAL DEBTOR(S)

	<u>Monthly</u>
Rent or home mortgage payment (include lot rented for mobile home) . .	\$ <u>included in</u>
	<u>c-13 plan</u>
Are real estate taxes included? <u> </u> Yes <u> X </u> No	
Is property insurance included? <u> </u> Yes <u> X </u> No	
Utilities: Electricity and heating fuel	\$ 200.00
Water and sewer	\$ -0-
Telephone	\$ 100.00
Other prime star	\$ 100.00
Home maintenance (repairs and upkeep)	\$ -0-
Food (include lunches)	\$ 350.00
Clothing	\$ 40.00
Laundry and dry cleaning	\$ 80.00
Medical and dental expenses	\$ 40.00
Child Care	\$ -0-
Transportation (not including car payments)	\$ 140.00
Recreation, clubs and entertainment, newspapers, magazines, etc. . . .	\$ 30.00
Charitable Contributions church	\$ 40.00
Insurance (not deducted from wages or included in home mortgage payments):	
Homeowner's or renter's	\$ 62.00
Life	\$ -0-
Health	\$ -0-
Auto	\$ 360.00
Other	\$ -0-
Taxes (not deducted from wages or included in home mortgage payments) (specify) . . property and vehicle tax	\$ 85.00
Alimony, maintenance, and support paid to others	\$ -0-
Payments for support of additional dependents not living at your home .	\$ -0-
Regular expenses from operation of business, profession, or farm (attach detailed statement)	\$ -0-
Other	\$ -0-
TOTAL MONTHLY EXPENSES	\$ 1,627.00

SUMMARY

TOTAL INCOME	\$ 3,230.97
TOTAL EXPENSES	\$ 1,627.00
AMOUNT OF CHAPTER 13 PAYMENT	\$ 1,520.00
DISPOSABLE INCOME AFTER EXPENSES & CHAPTER 13 PAYMENT	\$ 83.97

PAYMENTS TO CREDITORS

List all payments on loans, installment purchases of goods or services, and other debts, aggregating more than \$600 to any creditor, made within 90 days (insiders 1 year) immediately preceding the commencement of this case. (Married debtors must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

\$800 has been paid to GE Capital within the past 90 days.

FORECLOSURES, EXECUTIONS AND ATTACHMENTS

Is any of your or your spouse's property, including real estate, involved in foreclosing proceedings in or out of court? If so, identify the property and the person foreclosing.

1998 Palm Harbor mobile home and 2.25 acres located at 4089 Cornerston Drive, Oxford, NC 27565 is in foreclosure proceedings with Green Tree Acceptance Corp.

Has any of your or your spouse's property or income been attached, garnished or seized under any legal or equitable process on or within 90 days before the date of the filing of the original petition herein? (If so, describe the property seized, or person garnished and at whose suit.)

no

TRANSFERS, REPOSSESSIONS AND RETURNS

Has any of your or your spouse's property been transferred, returned, repossessed, or seized by the seller or by any other party, including a landlord on or within 90 days before the date of the filing of the original petition herein? (If so, give particulars including the name and address of the party getting the property and its description and value.)

no

COMPENSATION PAID OR PROMISED TO ATTORNEY FOR DEBTOR

If you have paid or agreed to pay (or transferred or agreed to transfer any property) to your attorney for services in connection with your case other than agreeing to pay such compensation as may be allowed by the Court to be paid from monies paid to the Trustee or for your account, then state:

no

PENDING OR PRIOR BANKRUPTCY

What proceedings under the Bankruptcy Code are now pending or have been previously brought by or against you or your spouse? State the location of the Bankruptcy Court, the nature and number of each proceeding, the date it was filed, and whether a discharge was granted or refused, the proceeding was dismissed, or a composition, arrangement, or plan was confirmed.

none

PAYMENTS RELATED TO DEBT COUNSELING OR BANKRUPTCY

List all payments made or property transferred by or on behalf of the Debtor to any persons, including attorneys, for consultation concerning debt consolidation, relief under the bankruptcy law or preparation of a petition in bankruptcy within one year immediately preceding the commencement of this case.

none